

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

**MICHAEL CHRISTOPHER
WINGFIELD, JR.**

Plaintiff

v.

A&T NETWORKS, INC., et al.

Defendants

* * * * *

CIVIL NO. JKB-18-3291

MEMORANDUM AND ORDER

Now pending before the Court is the Plaintiff's MOTION TO DISMISS DEFENDANTS' COUNTERCLAIMS (ECF No. 5). The Defendants have responded (ECF No. 10), and the Plaintiff has replied (ECF No. 11).

The motion is DENIED. In framing his Complaint, the Plaintiff seeks relief beyond that afforded him under the Maryland Wage Payment and Collection Law, the Maryland Wage and Hour Law, and the Fair Labor Standards Act. He also seeks relief for a common law breach of contract and breach of implied covenant of good faith and fair dealing. Accordingly, his pleading takes him beyond the ordinary protection from counterclaims afforded those who seek relief only under the Wage and Hour Laws, state and federal.

Whether the Defendants' counterclaims are compulsory or permissive is less important in this case when, by the decisions Plaintiff made in pleading, he opened the door to reasonably related counterclaims brought pursuant to the Court's supplemental jurisdiction. Even if viewed as permissive, the Court is inclined to hear the counterclaims in this same case as this is not a

mere wage and hour proceeding in which the public's interest is paramount. The Complaint seeks entirely private remedies as well.

Upon the foregoing, the Plaintiff's MOTION TO DISMISS THE DEFENDANTS' COUNTERCLAIMS (ECF No. 5) is DENIED.

DATED this 21 day of December, 2018.

BY THE COURT:



James K. Bredar
Chief Judge